

**WORK SESSION OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE CITY COUNCIL CHAMBERS  
14010 N. EL MIRAGE ROAD  
5:30 PM - TUESDAY, APRIL 5, 2016**

Members of the El Mirage City Council will attend either in person or by telephone conference call.

Please silence all electronic communication devices (including cell phones and pagers) before the meeting is called to order. Thank you.

**Agenda**

**I. ROLL CALL**

Mayor Lana Mook  
Councilmember Roy Delgado  
Councilmember Jack Palladino  
Councilmember David Shapera

Vice Mayor Joe Ramirez  
Councilmember Bob Jones  
Councilmember Lynn Selby

**II. CALL TO ORDER**

Pledge of Allegiance  
Moment of Silence  
Silence Cell Phones & Pagers

**III. WORK SESSION**

**W1.** Presentation of FY 2016-17 budget framework. (Finance)

**IV. ADJOURNMENT**

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE CITY COUNCIL CHAMBERS  
14010 N. EL MIRAGE ROAD  
6:00 PM - TUESDAY, APRIL 5, 2016**

Members of the El Mirage City Council will attend either in person or by telephone conference call.

Please silence all electronic communication devices (including cell phones and pagers) before the meeting is called to order. Thank you.

Note: The Common Council of the City of El Mirage, by a duly passed motion, may vote in public session to adjourn to executive session on any agenda item in conformation with A.R.S. Section 38.431.03 including legal advice from the City Attorney.

### **Agenda**

#### **I. ROLL CALL**

Mayor Lana Mook  
Councilmember Roy Delgado  
Councilmember Jack Palladino  
Councilmember David Shapera

Vice Mayor Joe Ramirez  
Councilmember Bob Jones  
Councilmember Lynn Selby

#### **II. CALL TO ORDER**

Pledge of Allegiance  
Moment of Silence  
Silence Cell Phones & Pagers

#### **IV. PROCLAMATION**

- P1.** Proclamation in support of “Start by Believing Day” on April 6, 2016 to promote awareness and education for victims of domestic violence (Police Department)

#### **V. CALL TO THE PUBLIC**

Citizens desiring to speak on a matter that IS NOT on this agenda may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of the Call to the Public, individual City Council Members may (1) respond to criticism made by those who have spoken (2) direct staff to review or respond to the matter, and/or (3) direct that the matter be put on a future agenda.

#### **VI. CONSENT AGENDA**

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

- 1.** Consideration and action approving the minutes of the Regular Council Meeting held Tuesday, March 15, 2016. (City Clerk)
- 2.** Consideration and action to approve Resolution R16-04-13 accepting a grant award in the amount of \$16,000 from the Arizona Department of Homeland Security for Police TLO equipment. (Administration)

## **VII. REGULAR AGENDA**

- A.** Consideration and action to approve Resolution R16-04-12 authorizing the Mayor and City Manager to execute an addendum to the 2009 Surprise IGA assessing the City of Surprise directly for the value of recharge water related to the Original Townsite (OTS); approval is contingent upon the City of Surprise executing the addendum. (Finance)

## **VIII. CITY MANAGER SUMMARY OF CURRENT EVENTS**

The City Council may not act upon any matter in the City Manager's summary but may have general comment or questions. Items to be discussed will include, but not be limited to, the following:

1. Cinco de Mayo Event

## **IX. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS**

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

## **X. ADJOURNMENT**

*Accommodations for Individuals with Disabilities - Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 12145 NW Grand Avenue, El Mirage, Arizona, (623) 876-2943, TDD (623)933-3258, or FAX (623) 876-4603. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.*

AFFIDAVIT OF POSTING – CITY COUNCIL MEETING OF APRIL 5, 2016


I hereby certify that this agenda was posted by 5:00 p.m. on April 1, 2016 at the following locations:

1) the City of El Mirage Exterior Bulletin Board at 12145 N.W. Grand Avenue, and 2) the City of El Mirage website at [www.cityofelmirage.org](http://www.cityofelmirage.org).

  
Sharon Antes, City Clerk

**REQUEST FOR COUNCIL ACTION**

<b>DATE SUBMITTED:</b> <u>3/30/2016</u>  <b>DATE ACTION REQUESTED:</b> <u>4/5/2016</u>  <input checked="" type="checkbox"/> <b>REGULAR</b> <input type="checkbox"/> <b>CONSENT</b>	<b>TYPE OF ACTION:</b>  <input type="checkbox"/> <b>RESOLUTION #</b> _____ <input type="checkbox"/> <b>ORDINANCE #</b> _____ <input checked="" type="checkbox"/> <b>OTHER:</b> Workshop presentation	<b>SUBJECT:</b> Presentation of FY 2016-17 budget framework.
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<b>TO:</b> Mayor and Council
<b>FROM:</b> Robert Nilles, Deputy City Manager Administration\Finance Director 
<b>RECOMMENDATION:</b> None. Presentation Only.
<b>PROPOSED MOTION:</b> None. Presentation Only.
<b>ATTACHMENTS:</b> None

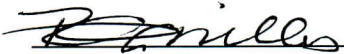
**DISCUSSION:** Presentation of FY2016–17 budget framework.

**FISCAL IMPACT:** N/A

**DEPARTMENT LINE ITEM ACCOUNT:** N/A

**BALANCE IN LINE ITEM IF APPROVED:** N/A

DCM\Finance Director:

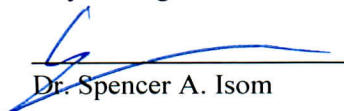
  
 Robert Nilles

4/1/16  
 Date

Approved as to form:

 4/1/16  
 Robert M. Hall, City Attorney      Date

City Manager:

  
 Dr. Spencer A. Isom

4/1/16  
 Date



**REQUEST FOR COUNCIL ACTION**

<b>DATE SUBMITTED:</b> <u>02/22/2016</u>  <b>DATE ACTION REQUESTED:</b> <u>04/05/2016</u>  <u> X </u> <b>REGULAR</b> <u> </u> <b>CONSENT</b>	<b>TYPE OF ACTION:</b>  <u> </u> <b>RESOLUTION #</b> <u> </u> <u> </u> <b>ORDINANCE #</b> <u> </u> <u> X </u> <b>OTHER:</b> Proclamation	<b>SUBJECT:</b> Proclamation in support of "Start By Believing Day" on April 6, 2016 to promote awareness and education for victims of domestic violence.
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<b>TO:</b> Mayor and Council
<b>FROM:</b> Terry McDonald, Police Chief
<b>RECOMMENDATION:</b> N/A
<b>PROPOSED MOTION:</b> N/A

**DISCUSSION:** Research nationally estimates that as many as 1 in 5 women and 1 in 71 men are the victim of rape or attempted rape, (Center for Disease Control, 2012 Summary Report), yet most will not report the crime to law enforcement (U.S. Department of Justice, Victimization Not Reported to the Police 2006-2010). In addition, the research documents that victims are far more likely to disclose their sexual assault to a friend or family member, and when these loved ones respond with doubt, shame, or blame, victims suffer additional negative effects on their physical and psychological well-being (Rape Abuse & Incest National Network). The Start by Believing Day is designed to improve the responses of friends, family members, and community professionals, so they can help victims to access supportive resources and engage the criminal justice system. Through this proclamation of support, the City El Mirage demonstrates a critical concern for victims of sexual violence and a desire to support their needs for justice and healing.

**FISCAL IMPACT:** N/A

**DEPARTMENT LINE ITEM ACCOUNT:** N/A

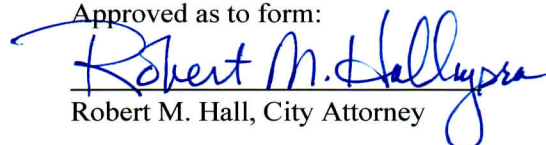
**BALANCE IN LINE ITEM IF APPROVED:** N/A

Finance Director:

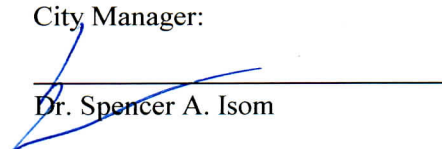
  
Robert Nilles

4/1/16  
Date

Approved as to form:

 4/1/16  
Robert M. Hall, City Attorney Date

City Manager:

  
Dr. Spencer A. Isom

4/1/16  
Date



**PROCLAMATION**  
**“*START BY BELIEVING DAY*”**  
**April 6, 2016**



**WHEREAS**, the City El Mirage shares a critical concern for victims of sexual violence and a desire to support their needs for justice and healing; and

**WHEREAS**, in 2015 the El Mirage Police Department received a total of 75 reports of sexual assault, and

**WHEREAS**, research estimates that as many as 1 in 5 women and 1 in 71 men are the victim of rape or attempted rape (Center for Disease Control, 2012 Summary Report), yet most will not report the crime to law enforcement (U.S. Department of Justice, Victimization Not Reported to the Police 2006-2010); and

**WHEREAS**, research documents that victims are far more likely to disclose their sexual assault to a friend or family member, and when these loved ones respond with doubt, shame, or blame, victims suffer additional negative effects on their physical and psychological well-being (Rape Abuse & Incest National Network); and

**WHEREAS**, the *Start by Believing* public awareness campaign is designed to improve the responses of friends, family members, and community professionals so they can help victims to access supportive resources and engage the criminal justice system;

**NOW, THEREFORE**, I, Lana Mook, Mayor of the City of El Mirage, Arizona do hereby proclaim April 6, 2016 to be ***START BY BELIEVING DAY*** in El Mirage and encourage all our citizens to support the victims of sexual assault by taking the first step and “*Start by Believing*.”

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of El Mirage to be affixed this 5<sup>th</sup> day of April, 2016.



\_\_\_\_\_  
Lana Mook, Mayor

**REQUEST FOR COUNCIL ACTION**

<b>DATE SUBMITTED:</b> <u>03/31/2016</u>	<b>TYPE OF ACTION:</b> <input type="checkbox"/> <b>RESOLUTION #</b> _____ <input type="checkbox"/> <b>ORDINANCE #</b> _____ <input checked="" type="checkbox"/> <b>OTHER:</b> <u>Approval of Minutes</u>	<b>SUBJECT:</b> Consideration and action to approve minutes of the Regular Council Meeting held Tuesday, March 15, 2016.
<b>DATE ACTION REQUESTED:</b> <u>04/05/2016</u>		
<input type="checkbox"/> <b>REGULAR</b> <input checked="" type="checkbox"/> <b>CONSENT</b>		

<b>TO:</b> Mayor and Council
<b>FROM:</b> Sharon Antes, City Clerk
<b>RECOMMENDATION:</b> Approve minutes from the March 15, 2016 Regular Council meeting.
<b>PROPOSED MOTION:</b> I move to approve the minutes of the March 15, 2016 Regular Council Meeting as presented.
<b>ATTACHMENTS:</b> Draft Minutes

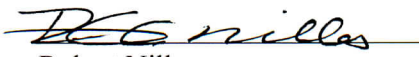
**DISCUSSION:** Draft minutes are attached for Council's review and approval.

**FISCAL IMPACT:** N/A

**DEPARTMENT LINE ITEM ACCOUNT:** N/A

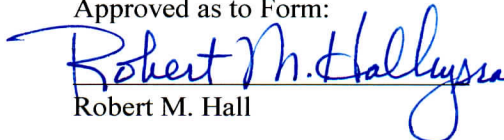
**BALANCE IN LINE ITEM IF APPROVED:** N/A

Finance Director:

  
Robert Nilles

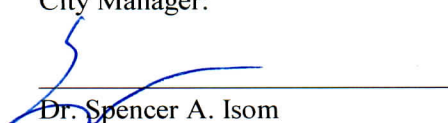
4/1/16  
Date

Approved as to Form:

  
Robert M. Hall

4/1/16  
Date

City Manager:

  
Dr. Spencer A. Isom

4/1/16  
Date

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF EL MIRAGE  
EL MIRAGE CITY COUNCIL CHAMBERS  
14010 N. EL MIRAGE ROAD  
6:00 PM - TUESDAY, MARCH 15, 2016**

**Minutes**

**I. ROLL CALL**

Present: Mayor Lana Mook, Vice Mayor Joe Ramirez, Councilmember Roy Delgado, Councilmember Bob Jones, Councilmember Jack Palladino, Councilmember Lynn Selby, Councilmember David Shapera

**II. CALL TO ORDER**

Meeting was called to order at 6:00 pm.  
Pledge of Allegiance  
Moment of Silence  
Silence Cell Phones & Pagers

**III. CALL TO THE PUBLIC**

Citizens desiring to speak on a matter that IS NOT on this agenda may do so at this time. Comments shall be limited to three (3) minutes per person and shall be addressed to the City Council as a whole. At the conclusion of the Call to the Public, individual City Council Members may (1) respond to criticism made by those who have spoken (2) direct staff to review or respond to the matter, and/or (3) direct that the matter be put on a future agenda.

Operations Director for the Northwest Valley YMCA Ryan Novo explained the purpose of the YMCA and that the YMCA is in the process of building community support to provide opportunities for less fortunate children. Opportunities include swim lessons, water safety, summer camp programs, character development, and friendships.

Mayor Mook asked what dollar amount they hope to achieve and was advised their 2016 goal is \$25,000 for which they have already raised half. He stated there is not a minimum donation and whatever amount people or organizations donate would be accepted. Donations for a particular interest can be specified.

Councilor Delgado stated he worked toward a banner from the Mayor and City Council last year supporting the kids' summer camp. He promised to leave a check for \$150 to begin the Council challenge this year; other Councilors also pledged to contribute. Mayor Mook stated this Council is one of the most committed supporters.



#### IV. CONSENT AGENDA

All items listed under the Consent Agenda will be voted on with one motion. If discussion is desired regarding any Consent Agenda Item, that item will be removed from the Consent Agenda and voted on separately.

1. Consideration and action approving the minutes of the Regular Council Meeting held Tuesday, March 1, 2016. (City Clerk)
2. Consideration and possible action to approve Resolution R16-03-07 for submitting a grant application and accepting funds, if awarded, from the Governor's Office of Highway Safety (GOHS) for Impaired Driving Prevention through marketing and branding. (Police Department)
3. Consideration and possible action to approve Resolution R16-03-08 for submitting a grant application and accepting funds, if awarded, from the Governor's Office of Highway Safety (GOHS) for Police Department Selective Traffic Enforcement associated with RADAR Units. (Police Department)
4. Consideration and possible action to approve Resolution R16-03-09 for submitting a grant and accepting funds, if awarded, from the Governor's Office of Highway Safety (GOHS) for Police Department Driving-Under-the-Influence (DUI) Enforcement overtime and associated marketing materials. (Police Department)
5. Consideration and possible action to approve Resolution R16-03-10 for submitting a grant application and accepting funds, if awarded, from the Governor's Office of Highway Safety (GOHS) for the "Click it or Ticket" campaign. (Police Department)
6. Consideration and possible action to approve Resolution R16-03-11 for submitting a grant application and accepting funds, if awarded, from the Governor's Office of Highway Safety (GOHS) for equipment to facilitate the Fire Department Traffic Safety Education Campaign. (Fire Department)

**Vice Mayor Ramirez moved to approve all Consent agenda items as presented; seconded by Councilor Shapera. Motion carried unanimously (7/0).**

#### V. REGULAR AGENDA

- A. Consideration and action to utilize a City of Chandler contract with Weber Water Resources to upgrade the programmable logic controllers at four of the City's well sites, in an amount not-to-exceed \$230,000 and authorizing a budget transfer of \$200,000 from the Special Projects Fund to the Water Fund. (Public Works)

Acting Public Works Director Nick Russo introduced Assistant Utilities Director Shane Swartwout who presented a PowerPoint Presentation on the request. Programmable Logic Controllers (PLC's) control critical functions at the City's well sites which include automatic pump operations, system monitoring and alarms (SCADA) and automated control of system pressures and water storage levels. Current PLC's are 15 plus years old, considered obsolete and have reached the end of their useful life, and their age leaves critical components vulnerable; some replacement parts are unavailable. Mr. Swartwout presented an overview of current well facilities recommending an upgrade to four of the seven facilities with new Allen Bradley PLC's in 2015/16. He also recommended extra hardware on the remaining three sites until they can be upgraded, which will ensure all City well site facilities are functional. Utilizing the City of Chandler contract #WA5-936-3480 with Weber Water Resources meets all of the City's bid requirements. The total cost of the project is \$230,000 including \$21,675 (10.5%) contingency and will not impact the Council's five-year utility rate commitment.

Mayor Mook asked about the three well sites not being treated at this time and Mr. Swartwout advised that while they have identical PLC's and will need to be upgraded in the future they can be repaired by using parts from the sites being upgraded to extend their life a bit longer.

Councilor Shapera stated these repairs are definitely needed and asked why funds are being paid for out of Public Works instead of the Enterprise Fund. Finance Director Robert Nilles reported the term "public works" encompasses several funds but assured Councilor Shapera that these repairs will be paid from the water system which is the Enterprise Fund. Councilor Shapera also asked how much money was received for the old meters that were replaced and Mr. Nilles reported he would need to research and report back. Dr Isom stated this information will be sent to Council as soon as he gets an answer.

Councilor Delgado asked if it was possible to include the three remaining wells in the upcoming budget instead of waiting. Mr. Nilles reported they can look at that possibility but cautioned against impacting the 5-year rate increase plan. Dr. Isom stated several plans were discussed and consideration was given to honoring the 5-year rate increase promise without compromising on equipment repairs. He assured Council the repairs were not patchwork and that spare parts from the wells being replaced can be utilized to extend the life of three remaining wells.

Vice Mayor Ramirez asked how long the wells will need to be down for installation of the new parts and was advised by Mr. Swartwout that the changeover would take approximately eight hours but stated there is redundancy and not all the wells are running at the same time.

Councilor Shapera asked if the Water Fund still owes the General Fund and Mr. Nilles stated the 2015/16 budget is the last year to pay the General Fund.

**Vice Mayor Ramirez moved to approve utilization of a City of Chandler contract with Weber Water Resources to upgrade the programmable logic controllers at four of the City's well sites, in an amount not-to-exceed \$230,000 and authorizing a budget transfer of \$200,000 from the Special Projects Fund to the Water Fund; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

- B. Consideration and action to authorize the City Manager to transfer budget and funds in an amount not to exceed \$28,500 from Council Contingency into the Sanitation Fund to support the Spring 2016 Bulk Trash Program. (Public Works)

Acting Public Works Director Nick Russo reported the fall 2015 bulk program cost was \$46,000 representing a 10% decrease in labor costs, 12% increase in trash collected and increased program efficiency with continued demand for the program. If approved, the spring 2016 program is scheduled to run April 11<sup>th</sup> through May 6<sup>th</sup> and will be modeled after the improved fall 2015 program. Parks & Sons will integrate bulk pickup into regular routes and staff will proactively work with residents on compliance issues. Staff recommends transfer of funds from Council Contingency to the Bulk Trash account to support the spring 2016 program. The current bulk trash fund balance is \$11,500 and the spring 2016 Program will cost \$40,000 requiring a fund transfer of \$28,500.

There was considerable discussion between Councilors regarding use of Council Contingency funds for this purpose and the benefit of the program in general. Councilor Selby stated he did not believe contingency funds should be used and noted if the event was postponed for 90 days it would fall into the upcoming fiscal year. Mayor Mook stated she believed the program was a desire of this Council and the Council's contingency fund was meant to be used for just these types of unforeseen expenses. Dr. Isom reminded Council of the history on how the program evolved and the service provided and the popularity of the program; it was both a Council goal and desire of the public. He stated the program has been evaluated and improved on with collaboration from partners Parks & Sons, and transparency of the true cost is necessary for consideration. Councilor Selby stated he is in favor of the program but believed the funds should not come from Council contingency; he inquired if the transfer could not be taken from the fund mentioned in the previous Council item and was informed by Finance Director Nilles that Water Fund money could not be used on a sanitation expense. He advised Council that the Contingency fund started with \$200,000 and if this transfer is approved there will be \$74,000 remaining for the last three months of this current fiscal year.

Councilor Shapera commented that Parks & Sons has a method to take care of larger items and perhaps the City should encourage and assist with advertising this availability by informing residents, possibly through water bill inserts. Councilor Delgado stated he believed public money should not be used to dispose of other peoples' trash because he takes his own trash to the dump but believes the program is on the right track and Code Enforcement should be utilized more.

Vice Mayor Ramirez commented he believes this program is, in fact, is a proper use of Council Contingency funds in order to keep the City clean and continue building on the program's popularity and accomplishments. Councilor Palladino agreed with Vice Mayor Ramirez stating the program has been working well and he believes the program improvements have only enhanced the program overall; he does not want to see the program move in a backward direction. Councilor Jones commented Public Works just revamped the whole program to work with Parks & Sons and involves Code Enforcement Officers. He believes the costs are under control, the program is needed, and it is working well; and there are residents who cannot afford to pay for bulk trash removal. Councilor Selby reiterated he does not want to eliminate the program he is only concerned about where the funds come from. Councilor Shapera also reiterated Parks & Sons has a service available for disposing of large items and believes they should advertise more and the City should help them educate the public. Mayor Mook stated she would like to have Parks & Sons track and report back how much trash and money is spent by individuals to remove bulk trash through them and the City help educate citizens regarding services available to remove bulk trash. Dr. Isom stated because of the City's contractual partnership, the City can assist with advertising this service.

On a related item, Councilor Delgado, Mayor Mook and Vice Mayor Ramirez all thanked and complimented former public works Director Larry Dobrosky and acting public works director Nick Russo for their quick response to Council phone calls regarding trash pickup. They all appreciate the cooperation and efficiency exhibited by the public works department.

**Vice Mayor Ramirez moved to authorize the City Manager to transfer budget and funds in an amount not to exceed \$28,500 from Council Contingency into the Sanitation Fund to support the spring 206 Bulk Trash Program; seconded by Councilor Delgado. Motion carried unanimously (7/0).**

## **VI. CITY MANAGER SUMMARY OF CURRENT EVENTS**

The City Council may not act upon any matter in the City Manager's summary but may have general comment or questions. Items to be discussed will include, but not be limited to, the following:



### 1. Easter Event

Public Relations Manager Amber Wakeman invited everyone to the Easter Eggstravaganza to be held on Saturday, March 19<sup>th</sup> from 9 am to 1 pm at Gentry Park on El Mirage Road. She advised there will be egg hunts for all ages, FREE photos with Hoppy the Easter Bunny, arts and crafts, a petting zoo, carnival rides, music, and food; every half hour there will be Easter Egg Hunts beginning at 9:45 for kids of various age groups. She thanked sponsors Walmart, Parks & Sons, Hickman's, Coco's Towing and APS. Mayor Mook pointed out that this is one of the most popular events for residents.

### 2. Community Uplift Program (CUP)

Dr. Isom reported that CUP had a spring cleanup on Saturday, March 5<sup>th</sup> with forty volunteers from Dysart High School, Valley Vista High School and Sunset View Baptist Church who cleaned yards, trimmed trees and shrubs, removed dead vegetation, and painted house trim on 14 properties. He thanked local businesses, Walmart, Walgreen's and Subway who donated paint, supplied bottled water and sandwiches for the volunteers; their continuing support is greatly appreciated.

### 3. New Employees

Acting Public Works Director Nick Russo introduced new employee Michael Day who comes from the City of Phoenix Water Department with 27 years of water experience. He lives in El Mirage and now works here and is proud to do both. Mr. Day stated he has worked for a big city but really likes working for a smaller town. He thought it would be a tough transition but he has been warmly welcomed and treated very well.

Development and Community Services Director/City Engineer Jorge Gastelum introduced Jose Denny who is the City's new Engineering Inspector. He retired from the Army in September 2001 and previously worked for the City of Buckeye and MCDOT, bringing 10 years of experience. Mr. Denny reported he has been a project manager, building inspector, land developer, and a U.S. Army Ranger. He thanked Council and staff for the opportunity.

Police Chief Terry McDonald reported the Spaghetti Dinner for Explorers was a great event and acknowledged the Fire Department's participation. The event raised \$1,300 and Chief thanked everyone for the support of the Police Explorers.

**VII. MAYOR'S COMMENTS and COUNCIL SUMMARY OF CURRENT EVENTS**

The Mayor and City Council may not discuss or act upon any matter in the summary unless the specific matter is properly noticed for legal action.

Mayor Mook reported Councilor Selby has been named one of only five nominees from 35 states to be considered for the national 2016 F. Tom Roberts Memorial Award on the Operation Lifesaver Program for Rail Safety Education. He is very active in the program and frequently provides instruction presentations to various groups regarding railroad safety. Councilor Selby exemplifies the organizations' dedication to preventing tragedies and saving lives at railroad crossings and along railroad rights-of-way. The Council congratulates Council Selby on his nomination and wishes him success in the nomination award. The awardee will be determined and announced later this year.

Councilor Selby reported the Community Uplift Program (CUP) Program has grown to 14 properties with 40 volunteers. This program has grown considerably since its inception and become quite successful; he is proud to be associated with this worthwhile program.

Councilor Shapera stated he enjoyed attending the Explorers' fundraising dinner at the Police Station.

Councilor Delgado stated, he too, enjoyed attending the Explorers' dinner. He is very proud of the kids and is confident they are going to be good citizens.

Vice Mayor Ramirez asked when pavement on some of the El Mirage Road construction could be expected and City Engineer Mr. Gastelum responded within the next few months after Southwest Gas, COX, Qwest and APS finish the underground work. He also stated the sidewalk and pavement on Varney Road is expected soon as well.

**VIII. ADJOURNMENT** - The meeting was adjourned at 7:06 pm.

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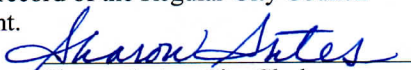
Lana Mook, Mayor

ATTEST:

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Sharon Antes, City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the Regular City Council Meeting held on Tuesday, March 15, 2016 and a quorum was present.

  
Sharon Antes, City Clerk

**REQUEST FOR COUNCIL ACTION**

<b>DATE SUBMITTED:</b> <u>03/31/2016</u>  <b>DATE ACTION REQUESTED:</b> <u>04/05/2016</u>  ___ REGULAR <u>X</u> CONSENT	<b>TYPE OF ACTION:</b>  <u>X</u> RESOLUTION # <u>R16-04-13</u> ___ ORDINANCE # _____ ___ OTHER:	<b>SUBJECT:</b> Consideration and action to approve Resolution R16-04-13 accepting the Arizona Department of Homeland Security-140831-01 reallocation grant award for the FY 2014/15 Police Terrorism Liaison Officer (TLO) technology equipment in the amount of \$16,000
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<b>TO:</b> Mayor and Council
<b>FROM:</b> Janeen K. Gaskins, Grant Writer/Assistant to the City Manager 
<b>RECOMMENDATION:</b> Approve Resolution R16-04-13 accepting the Arizona Department of Homeland Security-140831-01 reallocation grant award for the FY 2014/15 Police Terrorism Liaison Officer (TLO) technology equipment in the amount of \$16,000.
<b>PROPOSED MOTION:</b> I move to approve Resolution R16-04-13 accepting the grant funds as presented.
<b>ATTACHMENTS:</b> Resolution R16-04-13

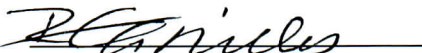
**DISCUSSION:** The Terrorism Liaison Officers (TLO) program was developed to provide a conduit to disseminate information between participating jurisdictions throughout the state's regions. TLOs are individual officers who are specifically trained in the field of terrorism and who promote information sharing/dissemination, law enforcement investigations, explosive device response operations, weapons of mass destruction, and hazardous materials response/decontamination. In an effort to continually sustain the program and ensure that TLOs are properly equipped to respond to the ever changing challenges of terrorist acts, El Mirage has been awarded reallocated grant funding to purchase TLO technology and equipment to help sustain activities.

**FISCAL IMPACT:** None. Match funding is not required

**DEPARTMENT LINE ITEM ACCOUNT:** N/A

**BALANCE IN LINE ITEM IF APPROVED:** N/A

Finance Director:

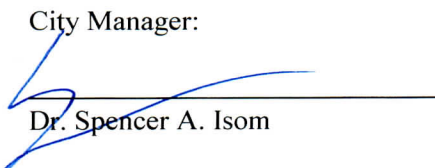
  
Robert Nilles

04/01/16  
Date

Approved as to form:

 4/1/16  
Robert M. Hall, City Attorney      Date

City Manager:

  
Dr. Spencer A. Isom

4/1/16  
Date

**RESOLUTION R16-04-13**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE,  
ARIZONA, AUTHORIZING THE CITY TO ENTER INTO A GRANT AGREEMENT  
WITH ARIZONA DEPARTMENT OF HOMELAND SECURITY SUB GRANTEE  
AGREEMENT #14-AZDOHA-HSGP-140831-01 TO ACCEPT A GRANT FOR  
TERRORISM LIAISON OFFICER TECHNOLOGY EQUIPMENT**

**WHEREAS**, the State of Arizona, Department of Homeland Security has awarded the City of El Mirage Police Department Terrorism Liaison Officer (TLO) technology equipment in the amount of \$16,000 in support of the FY2014 Urban Area Security initiative; and,

**WHEREAS**, the City of El Mirage, through the El Mirage Police Department, desires to accept grant funding in the amount of \$16,000 for technology equipment for the City's Terrorism Liaison Officers to meet the requirements; and,

**WHEREAS**, accepting the grant will further enhance the Police Department's current TLO program as well as enhance the regional efforts;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of El Mirage, in Maricopa County, Arizona:

Section 1. Hereby acknowledge and authorize Terry McDonald, Police Chief, as the appointed agent for the City of El Mirage to conduct all negotiations and to execute all documents and any other necessary or desirable instrument in connection with said grant.

Section 2. Hereby acknowledge and authorize the transfer of \$16,000 from the Unforeseen Grants Fund Budget, adopted in the FY 2016 Budget, to the assigned applicable grant activity and the Finance Department is authorized to make the necessary budgetary adjustments.

**PASSED AND ADOPTED** this 5<sup>th</sup> day of April, 2016.

\_\_\_\_\_  
Lana Mook, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Sharon Antes, City Clerk

\_\_\_\_\_  
Robert Hall, City Attorney



**REQUEST FOR COUNCIL ACTION**

<b>DATE SUBMITTED:</b> <u>03/30/16</u>	<b>TYPE OF ACTION:</b> <u>X</u> <b>RESOLUTION</b> # R16-04-12 ___ <b>ORDINANCE</b> # _____ ___ <b>OTHER:</b> _____	<b>SUBJECT:</b> Consideration and action to approve Resolution R16-04-12 authorizing the Mayor and City Manager to execute an addendum to the 2009 Surprise IGA assessing the City of Surprise directly for the value of recharge water related to the Original Townsite (OTS); approval is contingent upon the City of Surprise executing the addendum.
<b>DATE ACTION REQUESTED:</b> <u>04/05/16</u>		
<u>X</u> <b>REGULAR</b> ___ <b>CONSENT</b>		

**TO:** Mayor and Council

**FROM:** Robert Nilles, Deputy City Manager/Finance Director 

**RECOMMENDATION:** To approve Resolution R16-04-12 authorizing the Mayor and City Manager to execute an addendum to the 2009 Surprise IGA assessing the City of Surprise directly for the value of recharge water related to the OTS; approval is contingent upon the City of Surprise executing the addendum.

**PROPOSED MOTION:** I move to approve Resolution R16-04-12 as presented

**ATTACHMENTS:** Resolution R16-04-12; 2009 IGA Addendum

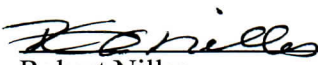
**DISCUSSION:** The City of Surprise (Surprise) and the City of El Mirage (El Mirage) entered into the above-referenced intergovernmental agreement (the "IGA") in 2009. El Mirage currently assesses a fee to Surprise businesses and residents within the City of El Mirage water service territory commonly referred to as the OTS that could be assessed to the City of Surprise for the value of recharge water provided to the OTS and lost to the City of El Mirage. Surprise will remit equal quarterly payments to El Mirage in an amount equal to twenty-five percent (25%) of the figure identified in the Red Oak Consulting Study Table 2 (page 4) dated August 26, 2011 adopted by the El Mirage City Council on November 10, 2011.

**FINANCIAL IMPACT:** None – changes responsible parties for payment.

**DEPARTMENT LINE ITEM ACCOUNT:** N/A

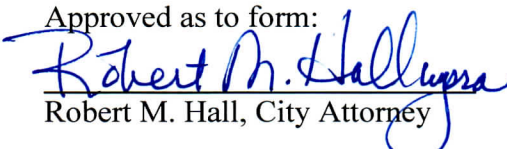
**BALANCE IN LINE ITEM IF APPROVED:** N/A

DCM/Finance Director:

  
 Robert Nilles

4/1/16  
 Date

Approved as to form:

  
 Robert M. Hall, City Attorney

4/1/16  
 Date

City Manager:

  
 Dr. Spencer A. Isom

4/1/16  
 Date

## RESOLUTION R16-04-12

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EL  
MIRAGE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE  
MAYOR AND CITY MANAGER TO EXECUTE AN ADDENDUM TO THE  
2009 SURPRISE IGA ASSESSING THE CITY OF SURPRISE DIRECTLY  
FOR THE VALUE OF RECHARGE WATER RELATED TO  
THE ORIGINAL TOWNSITE (OTS)**

**WHEREAS**, The City of Surprise (Surprise) and the City of El Mirage (El Mirage) entered into an intergovernmental agreement to provide water service to the OTS (the "IGA") in 2009; and,

**WHEREAS**, The El Mirage Council adopted a study on November 10, 2011 assessing fees to recover lost recharge water; and,

**WHEREAS**, El Mirage currently assesses a fee directly to OTS customers within the City of El Mirage water service territory for lost water recharge as identified in the adopted study; and,

**WHEREAS**, Surprise desires to suspend billing OTS customers and accept direct billing as identified in the adopted study; and,

**WHEREAS**, Surprise acknowledges that doing so does not create discriminatory treatment that would conflict with the IGA; and,

**WHEREAS**, Surprise and El Mirage acknowledge that nothing in this amendment is intended to limit either party's rights as defined by law or the IGA.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of El Mirage that the Mayor and City Manager are hereby authorized to execute an addendum to the IGA assessing Surprise directly for the value of recharge water related to the OTS contingent upon Surprise executing the addendum.

**APPROVED AND ADOPTED** by the City Council this 5<sup>th</sup> day of April, 2016.

\_\_\_\_\_  
Lana Mook, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Sharon Antes, City Clerk

\_\_\_\_\_  
Robert Hall, City Attorney

**FIRST AMENDMENT  
TO THE  
2009 INTERGOVERNMENTAL AGREEMENT  
FOR WATER SERVICE BY THE CITY OF EL MIRAGE  
TO THE CITY OF SURPRISE  
WITHIN THE SURPRISE ORIGINAL TOWNSITE**

The City of Surprise (Surprise) and the City of El Mirage (El Mirage) entered into the above-referenced intergovernmental agreement (the “IGA”) in 2009. El Mirage currently assesses a fee to Surprise businesses and residents within the City of El Mirage water service territory commonly referred to as the Surprise Original Townsite (“OTS”) that could be assessed to the City of Surprise for the value of recharge water provided to the OTS and lost to the City of El Mirage. Surprise desires to be assessed directly for the value of recharge water and acknowledges that doing so will result in the suspension of OTS customers being billed for recharge water, and does not create discriminatory treatment. Therefore, the parties agree that the IGA is hereby amended as follows:

A. Paragraph 5.13 of the IGA is added as follows:

Effective for billings after April 30 2016, charges to customers of the El Mirage water system related to recharge water within the OTS shall be suspended for as long as Surprise is assessed directly. Effective for the April, 2016 billing cycle, El Mirage will begin charging Surprise for recharge water. Surprise will remit equal quarterly payments to El Mirage in an amount equal to twenty-five percent (25%) of the figure identified in the Red Oak Consulting Study Table 2 (page 4) dated August 26, 2011 adopted by the El Mirage City Council on November 10, 2011 . Payment will be made to El Mirage within 30 days of receipt of an invoice from El Mirage. The terms of this amendment shall renew automatically for the following fiscal year unless either party gives written notice to the other prior to January 31. Time is of the essence in giving the notice to terminate.

Nothing in this amendment is intended to limit either party’s rights as defined by law or the 2009 INTERGOVERNMENTAL AGREEMENT FOR WATER SERVICE BY THE CITY OF EL MIRAGE TO THE CITY OF SURPRISE WITHIN THE SURPRISE ORIGINAL TOWNSITE.

IN WITNESS WHEREOF, the parties, having been duly authorized by their respective governing bodies, have executed this Agreement on the dates set forth below.

CITY OF SURPRISE

Recommended by:

\_\_\_\_\_  
Bob Wingenroth                      Date  
City Manager

Approved and Accepted by:

\_\_\_\_\_  
Sharon Wolcott                      Date  
Mayor

Approved as to form:

\_\_\_\_\_  
Robert Wingo                      Date  
City Attorney

Attest by:

\_\_\_\_\_  
Sherry Aguilar                      Date  
City Clerk

CITY OF EL MIRAGE

Recommended by:

\_\_\_\_\_  
Spencer A. Isom                      Date  
City Manager

Approved and Accepted by:

\_\_\_\_\_  
Lana Mook                      Date  
Mayor

Approved as to form:

\_\_\_\_\_  
Robert Hall                      Date  
City Attorney

Attest by:

\_\_\_\_\_  
Sharon Antes                      Date  
City Clerk